

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

KIANA WEBB,

Plaintiff,

v.

Case Number: 13-12823  
Honorable Victoria A. Roberts

FORD MOTOR COMPANY,

Defendants.

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**ORDER GRANTING DEFENDANT'S MOTION TO DISMISS (DOC. # 11)**

On June 28, 2013, Kiana Webb ("Plaintiff") filed a *pro se* complaint against Ford Motor Company ("Defendant") alleging a violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000e, *et seq.* Plaintiff admits in the complaint that she received a "right to sue" letter from the EEOC in July 2012; she did not commence this action until approximately one year later.

Before the Court is Defendant's Motion to Dismiss. (Doc. # 11). Defendant filed its motion on February 6, 2014, and attempted to serve the motion on Plaintiff via U.S. First-Class Mail; Defendant mailed the motion to Plaintiff's address listed on the complaint and the Court's service list – 1187 Stacy Drive, Canton, MI 48188 – but it was returned as undeliverable. (See Doc. # 16). Defendant called Plaintiff's phone number, as listed on the complaint; the number was disconnected.

On February 12, 2014, the Court entered an order setting the briefing schedule for Defendant's motion to dismiss; the Court mailed the order to Plaintiff. On February 19, 2014, the mailing was returned to the Court with a notice stating: "RETURN TO SENDER[;] NOT DELIVERABLE AS ADDRESSED[;] UNABLE TO FORWARD." (See

Doc. # 15). The Court attempted to call Plaintiff multiple times; each time, a recorded message stated that the call could not be completed. There is no other way to contact Plaintiff. Service on Plaintiff has not been accomplished.

Defendant says the complaint must be dismissed with prejudice because Plaintiff failed to file the action within 90 days after receiving the right to sue notice, as required by Title VII. The Court agrees; federal courts strictly enforce Title VII's 90-day statutory limitations period. See, e.g., *Graham-Humphreys v. Memphis Brooks Museum of Art*, 209 F.3d 552, 557 (6th Cir. 2000).

Defendant's Motion to Dismiss is **GRANTED**; the Complaint is **DISMISSED WITH PREJUDICE**.

**IT IS ORDERED.**

S/Victoria A. Roberts

Victoria A. Roberts

United States District Judge

Dated: March 3, 2014

The undersigned certifies that a copy of this document was served on the attorneys of record and Kiana Webb by electronic means or U.S. Mail on March 3, 2014.

S/Carol A. Pinegar

Deputy Clerk